

Docket No.  
1242.017

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### OBTURATOR AND CANNULA FOR A TROCAR ADAPTED FOR EASE OF INSERTION AND REMOVAL

the specification of which

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

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(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

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(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

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(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

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(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

Robert E. Heslin, Esq., Reg. No.: 24,778  
 Jeff Rothenberg, Esq., Reg. No.: 26,429  
 Kevin P. Radigan, Esq., Reg. No.: 31,789  
 Susan E. Farley, Esq., Reg. No.: 31,833  
 Nicholas Mesiti, Esq., Reg. No.: 32,782  
 Philip E. Hansen, Reg. No.: 32,700  
 Blanche E. Schiller, Esq., Reg. No.: 35,670  
 Wayne F. Reinke, Esq., Reg. No.: 36,650  
 John Pietrangelo, Reg. No.: 39,331

Send Correspondence to:

**John Pietrangelo, Patent Agent**  
**HESLIN ROTHENBERG FARLEY & MESITI P.C.**  
**5 Columbia Circle, Albany, NY 12043**

Direct Telephone Calls to: (*name and telephone number*)

**John Pietrangelo (518) 452-5600**

Full name of sole or first inventor <b>Daniel M. Wing</b>	Date
Sole or first inventor's signature	<b>July ____, 2001</b>
Residence <b>10295 Woods Road, Utica, New York 13502</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>10295 Woods Road, Utica, New York 13502</b>	

Full name of second inventor, if any <b>Stephen J. Scheuermann</b>	Date
Second inventor's signature	<b>July ____, 2001</b>
Residence <b>454 Sayles St., Oneida, New York 13421</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>454 Sayles St., Oneida, New York 13421</b>	

Full name of third inventor, if any <b>Deborah A. Laun</b>	Date
Third inventor's signature	July _____, 2001
Residence <b>4003 Bussey Road, Syracuse, New York 13215</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>4003 Bussey Road, Syracuse, New York 13215</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wing et. al.

Serial No.: Unassigned Group Art Unit: Unassigned

Filed: Herewith Examiner: Unassigned

Title: **OBTURATOR AND CANNULA FOR A TROCAR ADAPTED FOR EASE OF INSERTION AND REMOVAL**

To: Attn: **BOX PATENT APPLICATION**

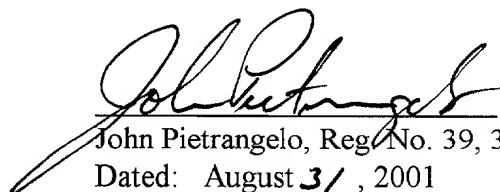
Assistant Commissioner for Patents  
Washington, D.C. 20231

**ASSERTION OF SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(c)(2)**

Dear Sir:

The assignee in the above-identified application is entitled to small entity status.

Respectfully submitted,



John Pietrangelo, Reg. No. 39, 331  
Dated: August 31, 2001

**HESLIN ROTHENBERG FARLEY & MESITI P.C.**

5 Columbia Circle  
Albany, New York 12203  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579

## ASSIGNMENT

WHEREAS, We, **Daniel M. Wing**, 10295 Woods Road, Utica, New York 13502, and **Stephen J. Scheuermann**, 454 Sayles St. Oneida, New York 13421, and **Deborah A. Laun**, 4003 Bussey Road, Syracuse, New York 13215 citizens of the United States of America, have invented certain new and useful improvements in an **OBTURATOR AND CANNULA FOR A TROCAR ADAPTED FOR EASE OF INSERTION AND REMOVAL** for which we have executed an application for Letters Patent of the United States, of even date herewith; and;

WHEREAS, **ConMed Corporation**, having offices at 310 Broad Street, Utica, New York 13501 is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we the said **Daniel M. Wing, Stephen J. Scheuermann, and Deborah A. Laun** have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said **ConMed Corporation**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **ConMed Corporation**, its successors,

AND WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said **ConMed Corporation**, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said **ConMed Corporation**, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this  
\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Daniel M. Wing

STATE OF NEW YORK )  
                        )  
COUNTY OF \_\_\_\_\_ ) ss.:  
                        )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, before me personally came Daniel M. Wing, to me known and known to me to be the person of that name, who signed the foregoing instrument, and he acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this

\_\_\_\_ day of \_\_\_\_\_, 2001.

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Stephen J. Scheuermann

STATE OF NEW YORK                )  
                                      ) ss.:  
COUNTY OF \_\_\_\_\_                )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, before me personally came Stephen J. Scheuermann, to me known and known to me to be the person of that name, who signed the foregoing instrument, and he acknowledged the same to be his free act and deed.

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Notary Public

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this

\_\_\_\_ day of \_\_\_\_\_, 2001.

---

Deborah A. Laun

STATE OF NEW YORK                )  
                                      ) ss.:  
COUNTY OF \_\_\_\_\_                )

On this \_\_\_\_ day of \_\_\_\_\_, 2001, before me personally came Deborah A. Laun, to me known and known to me to be the person of that name, who signed the foregoing instrument, and she acknowledged the same to be her free act and deed.

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Notary Public